

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)
)
 v.) Case No.: 1:06cr13-WKW
)
 ROBERT ARTHUR GOOSBY)

**MOTION TO WITHDRAW PREVIOUSLY FILED MOTION TO REQUIRE
PAYMENT OF TRANSPORTATION COSTS
AND SUPPORTING CITATIONS OF AUTHORITY**

NOW COMES the Defendant, Robert Arthur Goosby, by and through the undersigned counsel, Jennifer A. Hart, and respectfully moves this Court to withdraw his previously filed *Motion to Require Payment of Transportation Costs and Supporting Citations of Authority*. As grounds for granting this Motion, Defendant would show the following:

1. This case is set for trial on the January 8, 2007 trial term.
2. Mr. Goosby has advised the Court that he intends to enter a plea to the Indictment.
3. Mr. Goosby filed a *Notice of Intent to Change Plea* today and the Court scheduled a Change of Plea hearing for January 2, 2007.
4. Because Mr. Goosby resides in California and is currently unemployed, the Defendant filed a Motion to have the United States Marshal Service pay the cost of his transportation to the Change of Plea Hearing.
5. Upon further consideration, and after discussion with the Government, the parties agree that this matter may be resolved without the Marshals' assistance if the case is continued to the next trial term.

6. An unopposed Motion to Continue Trial will be filed simultaneously with this Motion to Withdraw,
7. The Government does not oppose the withdrawal of the prior Motion to Require Transportation Costs.

WHEREFORE, based upon the foregoing, the Defendant prays that this *Motion to Withdraw Previously Filed Motion to Require Transportation Costs* be granted, and that the consent hearing scheduled for January 2, 2007 be continued generally.

Respectfully submitted,

s/Jennifer A. Hart
JENNIFER A. HART
FEDERAL DEFENDERS
MIDDLE DISTRICT OF ALABAMA
201 Monroe Street, Suite 407
Montgomery, AL 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
jennifer_hart@fd.org
AL Bar Code: HAR189

CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Kent Brunson, Assistant U. S. Attorney, One Court Square, Suite 201, Montgomery, Alabama 36104.

Respectfully submitted,

s/Jennifer A. Hart
JENNIFER A. HART
FEDERAL DEFENDERS
MIDDLE DISTRICT OF ALABAMA
201 Monroe Street, Suite 407
Montgomery, AL 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
jennifer_hart@fd.org
AL Bar Code: HAR189